

Judicial Administration Committee  
Judicial Conference of Indiana

**Minutes**

August 13, 2010

The Judicial Administration Committee of the Judicial Conference of Indiana met at the Indiana Judicial Center on Friday, August 13, 2010 from 10:00 a.m. – 3:15 p.m.

1. Members present. David Avery, W. Timothy Crowley, Bruce C. Embrey, James R. Heuer, Stanley A. Levine, Thomas Newman, Carol J. Orbison, and Judge Roland W. Chamblee, Chair Pro Tem. Judge Stefaniak, Chair, could not attend because he was presiding over the second week of a Life without Parole jury trial, State v. Engilica Costello, 45G04-0906-MR-00005.
2. Staff present. Jeffrey Bercovitz, Indiana Judicial Center; James Diller, Court Analyst; Thomas Q. Jones, Records Manager; Angela James, Court Analyst; Jeff Wiese, Staff Attorney and James Walker, Director of Trial Court Management; all from the Division of State Court Administration provided the committee with staff assistance.
3. Guest present. Larry Grau, The Grau Group, Inc., was also present.
4. Minutes approved. The minutes for the committee on July 9, 2010 were approved.
5. Weighted caseload measures.
  - a. Timesheets. Committee members reviewed and revised the noncase related and the case related timesheets.
  - b. Instructions. Members of the committee reviewed and revised the instructions for the completion of the case and noncase related timesheets. They agreed to add the following definition to the instructions: Bench Disposition: (1) Accepting an agreed dissolution while on the bench; (2) Entering a summary judgment or default judgment while on the bench; (3) Granting a motion to dismiss a case while on the bench.

They agreed to add the following procedure to the instructions: Signing many orders at the end of the day: If it takes 30 minutes at the end of the day to sign 15 orders, one should list the multiple case types signed, the total minutes per case type, and the total time, e.g. 3 JC's -12 minutes; 2 JT's – 12 minutes; 10 DR's-6 minutes; 30 minutes total time.
  - c. Small claims. Committee members reviewed a letter from a member of the Special Courts Committee. The letter expressed concern about gathering data on how judges count their time in small claims cases when some judges may authorize court staff to use to signature stamps. Members of the committee believed these concerns would be alleviated by (1) conducting the review of small claims cases in two categories – collections and all other types of small claims cases, e.g. landlord tenant, automobile accidents, neighbor disputes, etc., and (2) noting the times will reflect an average of both the judges keeping time sheets and review of small claim dockets for the number of judicial actions.

d. Counties for time study. Jeffrey Bercovitz distributed lists of all Indiana counties by alphabetical order and in order from large to small counties, which also indicated their availability of Doxpop, Odyssey, Quest and Courtview. Committee members agreed large counties would include those over 300,000 in population, medium counties include from 100,000 – 300,000, and small counties would be under 100,000. Members of the committee agreed to use all three large counties for the case file reviews, Lake, Marion and Allen, 8 medium size counties, and 12 small counties. This would be 25% of all counties in Indiana. The staff will also look at the geographic mix of counties and the number of filings. In addition, the staff will select counties for judge participation for timesheets. Some courts will be picked specifically and others will be asked to participate if they wish. Judge Orbison agreed to invite Marion County Criminal Court judges to participate once again.

e. Death penalty. Jeffrey Bercovitz distributed a draft guideline for the administration of a caseload when a judge receives a death penalty case which was revised by the committee.

f. Special case types. Committee members discussed review of a habeas corpus case type, and special judge cases. They agreed the special judge cases may need a guideline and habeas corpus cases are filed too infrequently to merit study. However, they agreed to look at medical malpractice cases, and may use a method similar to problem-solving courts. They also agreed to list small claims cases as “small claims – collections” and “small claims-other” to study these as separate case types.

6. Next meeting. Members of the committee agreed to meet again on Friday, October 15, 2010, January 14, 2011, February 11, 2011, March 11, 2011, May 13, 2011, June 10, 2011, July 8, 2011, and August 12, 2011 from 10:00 a.m. - 4:00 p.m. at the Indiana Judicial Center.

Respectfully submitted,

Jeffrey Bercovitz, Director  
Juvenile and Family Law